

HOUSE BILL 1334

E1, R3

2lr3059
CF SB 944

By: **Delegates McDermott and Cluster**

Introduced and read first time: February 16, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Life-Threatening Injury by Motor Vehicle or Vessel While Impaired by a**
3 **Controlled Dangerous Substance – Penalty**

4 **(Ava’s Law)**

5 FOR the purpose of altering the penalty for causing life-threatening injury as a result
6 of negligently driving, operating, or controlling a motor vehicle or vessel while
7 impaired by a controlled dangerous substance; and generally relating to
8 controlled dangerous substance offenses.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 3–211(f)
12 Annotated Code of Maryland
13 (2002 Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Criminal Law**

17 3–211.

18 (f) (1) This subsection does not apply to a person who is entitled to use
19 the controlled dangerous substance under the laws of the State.

20 (2) A person may not cause a life-threatening injury to another as a
21 result of the person’s negligently driving, operating, or controlling a motor vehicle or
22 vessel while the person is impaired by a controlled dangerous substance as defined in
23 § 5–101 of this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) A violation of this subsection is life-threatening injury by motor
2 vehicle or vessel while impaired by a controlled dangerous substance.

3 (4) A person who violates this subsection is guilty of a misdemeanor
4 and on conviction is subject to imprisonment not exceeding [2] **3** years or a fine not
5 exceeding [~~\$3,000~~] **\$5,000** or both.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2012.